

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
NISHA BROOKS-WHITTINGTON  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
Nisha\_Brooks-Whittington@fd.org  
6

7 Attorney for Jose Daniel Moreno-Pina

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 JOSE DANIEL MORENO-PINA,  
14 Defendant.  
15

Case No. 2:18-cr-00014-RFB-NJK

**STIPULATION TO CONTINUE  
SENTENCING HEARING**  
(Sixth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between  
17 Nicholas A. Trutanich, United States Attorney, and Susan Cushman, Assistant United  
18 States Attorney, counsel for the United States of America, and Rene L. Valladares,  
19 Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public  
20 Defender, counsel for Jose Daniel Moreno-Pina, that the Sentencing Hearing currently  
21 scheduled on April 13, 2020 at 1:00 p.m., be vacated and continued to a date and time  
22 convenient to the Court, but no earlier than sixty (60) days.

23 The Stipulation is entered into for the following reasons:  
24  
25  
26

1           1.       On March 11, 2020, the World Health Organization officially classified  
2 COVID-19 a pandemic.<sup>1</sup> Governor Steve Sisolak declared a State of Emergency in Nevada on  
3 March 12, 2020. On March 16, 2020, the CDC recommended that all in-person events  
4 consisting of 10 or more people be postponed or cancelled throughout the United States.<sup>2</sup>

5           2.       As of April 6, 2020, Nevada has 1,953 confirmed COVID-19 cases and 46  
6 deaths.<sup>3</sup> Also, as of April 6, 2020, the new strain of coronavirus which causes COVID-19, has  
7 infected over 1.3 million people, leading to at least 73,916 deaths worldwide.<sup>4</sup> In light of this  
8 pandemic, the growing number of infected individuals in the State of Nevada and worldwide,  
9 and the CDC's recommendations, counsel request a continuance of the sentencing hearing.

10          3.       Mr. Moreno-Pina further requests a continuance to allow him additional time to  
11 obtain a medical report, as ordered by this Court, from his physician regarding his current  
12 medical status and recommended physical therapy.

13          4.       The defendant is not incarcerated and does not object to the continuance.

14          5.       The parties agree to the continuance.

---

21                   <sup>1</sup> *WHO Characterizes COVID-19 as a Pandemic*, World Health Organization (Mar.  
22 11, 2020) at <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>.

23                   <sup>2</sup> Center for Disease Control: COVID-19 <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/> (last visited Mar. 24, 2020).

24                   <sup>3</sup> <https://nvhealthresponse.nv.gov/>.

25                   <sup>4</sup> *Coronavirus Resource Center*, John Hopkins University (last visited Apr. , 2020),  
26 <https://coronavirus.jhu.edu/map.html>.

1 This is the sixth stipulation to continue filed herein.

2 DATED this 6th day of April 2020.

3 RENE L. VALLADARES  
4 Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

5 */s/ Nisha Brooks-Whittington*  
6 By \_\_\_\_\_

7 NISHA BROOKS-WHITTINGTON  
Assistant Federal Public Defender

*/s/ Susan Cushman*  
By \_\_\_\_\_

SUSAN CUSHMAN  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 JOSE DANIEL MORENO-PINA,

7 Defendant.

Case No. 2:18-cr-00014-RFB-NJK

**ORDER**

9  
10 IT IS ORDERED that the sentencing hearing currently scheduled for Monday,  
11 April 13, 2020 at 1:00 p.m., be vacated and continued to June 18, 2020 at the hour  
12 of 2:00 p.m.

13 DATED this 6th day of April 2020.

14 

15  
16 RICHARD F. BOULWARE, II  
17 UNITED STATES DISTRICT JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26